

this paper using the PTO's Patent Application Information Retrieval (PAIR) website on or about September 8, 2005 (see the attached PAIR records printed on September 8, 2005, September 15, 2005 and October 13, 2005).

Applicants' representative initially contacted the Examiner by telephone regarding the status of the Request on October 20, 2005. In a return telephone call on or about October 28, 2005, the Examiner indicated that she would act on the Request in about two weeks.

Applicants' representative contacted the Examiner to follow-up on this matter on or about November 17, 2005, at which time the Examiner indicated that the entry of the Request as a "Miscellaneous Incoming Letter" was improper and therefore the paper was not showing up on her docket as a paper filed after a final Action so that she could work on it. The Examiner further indicated that she would have this corrected and respond to the Request.

Applicants' representative contacted the Examiner again to follow-up on this matter on or about November 30, 2005. The Examiner indicated that the issue had not yet been resolved internally, but that she would submit another request to have the PALM entry corrected so that she could respond to the Request filed on August 16, 2005.

Applicants' representative contacted the Examiner again on or about December 5, 2005 to follow-up on this matter. The Examiner responded on or about December 8, 2005 and indicated that the correction should be made within the next day or so and that she would most likely withdraw the finality of the Office Action dated June 16, 2005. The Examiner further indicated that she would issue a response before December 16, 2005, (which is the last day of the maximum extendable time period for Applicants response to the Final Office Action dated June 16, 2005).

Applicants' representative checked the status of the above-identified application on the PTO's PAIR website on December 14, 2005 (see the attached IFW record printed on the same date) and subsequently telephoned the Examiner and left a voice mail message requesting issuance of a response to the Request to Withdraw Finality previously filed on August 16, 2005, prior to the last day date of December 16, 2005. By return telephone call on December 16, 2005, the Examiner indicated that she had issued an Action and withdrew finality of the Office Action dated June 16, 2005 and turned the Action in on December 15, 2005. , Applicants have not yet received a the new Action and according to PAIR, no response has been issued as evidenced by the attached PAIR record printed on December 16, 2005.

In view of the above, Applicants are submitting herewith a Petition for Extension of Time with authorization for the PTO to charge the fee for a three (3) month extension of time if necessary to extend the time period for reply to the Office Action dated June 16, 2005 from September 16, 2005 to December 16, 2005, to maintain pendency of the present application in view of the divisional application being filed on the same date. **However, Applicants respectfully submit that such petition would not be necessary if the finality of the Office Action dated June 16, 2005 is withdrawn and a new Office Action is issued. Accordingly, Applicants respectfully request a refund of the extension fee if charged if the finality of the Office Action dated June 16, 2005, is withdrawn and a new Office Action is issued.**

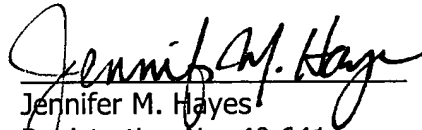
Applicants further submit that Applicants have acted reasonably and any unreasonable delay is due to the fault of the PTO. Therefore, Applicants should not be charged with any reduction in patent term adjustment in relation to this matter.

7. Results of Interview: None.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 16, 2005

Printer Friendly

09/492,763

Dermal agent

Image File Wrapper

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count
08-16-2005	Miscellaneous Incoming Letter	6
06-16-2005	Final Rejection	9
06-16-2005	Index of Claims	1
06-16-2005	Search information including classification, databases and other search related notes	1
03-23-2005	Miscellaneous Incoming Letter	3
12-03-2004	Fee Worksheet (PTO-875)	1
12-03-2004	Claims Worksheet (PTO-2022)	1
10-28-2004	Miscellaneous Incoming Letter	3
07-12-2004	Miscellaneous Incoming Letter	1
07-12-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
04-28-2004	Amendment - After Non-Final Rejection	1
04-28-2004	Applicant Arguments or Remarks Made in an Amendment	2
04-28-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
01-28-2004	Non-Final Rejection	5
01-28-2004	List of references cited by examiner	1
01-28-2004	Foreign Reference	11
01-28-2004	Foreign Reference	11
09-16-2003	Amendment - After Non-Final Rejection	1
09-16-2003	Applicant Arguments or Remarks Made in an Amendment	4
09-16-2003	Extension of Time	1
05-16-2003	Non-Final Rejection	6
10-09-2002	Miscellaneous Incoming Letter	2
10-09-2002	Amendment - After Non-Final Rejection	1
10-09-2002	Claims	1

10-09-2002	Applicant Arguments or Remarks Made in an Amendment	4
10-09-2002	Extension of Time	1
08-27-2002	Advisory Action (PTOL-303)	3
08-09-2002	Amendment - After Non-Final Rejection	1
08-09-2002	Claims	1
08-09-2002	Applicant Arguments or Remarks Made in an Amendment	8
08-09-2002	Extension of Time	1
04-09-2002	Final Rejection	8
01-16-2002	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	8
11-30-2001	Amendment - After Non-Final Rejection	1
11-30-2001	Claims	4
11-30-2001	Applicant Arguments or Remarks Made in an Amendment	11
11-30-2001	Extension of Time	1
11-30-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	7
11-20-2001	Non-Final Rejection	4
10-30-2001	Miscellaneous Incoming Letter	3
07-31-2001	Non-Final Rejection	7
07-31-2001	List of references cited by examiner	1
07-02-2001	Amendment - After Non-Final Rejection	1
07-02-2001	Applicant Arguments or Remarks Made in an Amendment	3
07-02-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
07-02-2001	Extension of Time	1
07-02-2001	Information Disclosure Statement (IDS) Filed	2
07-02-2001	List of References cited by applicant and considered by examiner	1
07-02-2001	Foreign Reference	1
07-02-2001	Foreign Reference	2
07-02-2001	Foreign Reference	1

03-01-2001	Non-Final Rejection	6
03-01-2001	List of references cited by examiner	1
02-21-2001	Examiner's search strategy and results	48
01-27-2000	Issue Information including classification, examiner, name, claim, renumbering, etc.	1
01-27-2000	Search information including classification, databases and other search related notes	1
01-27-2000	Index of Claims	1
01-27-2000	Transmittal letter	1
01-27-2000	Specification	40
01-27-2000	Claims	5
01-27-2000	Abstract	1
01-27-2000	Oath or Declaration filed	4
01-27-2000	Fee Worksheet (PTO-875)	1
01-27-2000	Fee Worksheet (PTO-875)	2
01-27-2000	Claims Worksheet (PTO-2022)	1
01-27-2000	Miscellaneous Incoming Letter	51

[Close Window](#)

Printer Friendly

09/492,763

Dermal agent

Image File Wrapper

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count
08-16-2005	Miscellaneous Incoming Letter	6
06-16-2005	Final Rejection	9
06-16-2005	Index of Claims	1
06-16-2005	Search information including classification, databases and other search related notes	1
03-23-2005	Miscellaneous Incoming Letter	3
12-03-2004	Fee Worksheet (PTO-875)	1
12-03-2004	Claims Worksheet (PTO-2022)	1
10-28-2004	Miscellaneous Incoming Letter	3
07-12-2004	Miscellaneous Incoming Letter	1
07-12-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
04-28-2004	Amendment - After Non-Final Rejection	1
04-28-2004	Applicant Arguments or Remarks Made in an Amendment	2
04-28-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
01-28-2004	Non-Final Rejection	5
01-28-2004	List of references cited by examiner	1
01-28-2004	Foreign Reference	11
01-28-2004	Foreign Reference	11
09-16-2003	Amendment - After Non-Final Rejection	1
09-16-2003	Applicant Arguments or Remarks Made in an Amendment	4
09-16-2003	Extension of Time	1
05-16-2003	Non-Final Rejection	6
10-09-2002	Miscellaneous Incoming Letter	2
10-09-2002	Amendment - After Non-Final Rejection	1
10-09-2002	Claims	1

10-09-2002	Applicant Arguments or Remarks Made in an Amendment	4
10-09-2002	Extension of Time	1
08-27-2002	Advisory Action (PTOL-303)	3
08-09-2002	Amendment - After Non-Final Rejection	1
08-09-2002	Claims	1
08-09-2002	Applicant Arguments or Remarks Made in an Amendment	8
08-09-2002	Extension of Time	1
04-09-2002	Final Rejection	8
01-16-2002	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	8
11-30-2001	Amendment - After Non-Final Rejection	1
11-30-2001	Claims	4
11-30-2001	Applicant Arguments or Remarks Made in an Amendment	11
11-30-2001	Extension of Time	1
11-30-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	7
11-20-2001	Non-Final Rejection	4
10-30-2001	Miscellaneous Incoming Letter	3
07-31-2001	Non-Final Rejection	7
07-31-2001	List of references cited by examiner	1
07-02-2001	Amendment - After Non-Final Rejection	1
07-02-2001	Applicant Arguments or Remarks Made in an Amendment	3
07-02-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
07-02-2001	Extension of Time	1
07-02-2001	Information Disclosure Statement (IDS) Filed	2
07-02-2001	List of References cited by applicant and considered by examiner	1
07-02-2001	Foreign Reference	1
07-02-2001	Foreign Reference	2
07-02-2001	Foreign Reference	1

03-01-2001	Non-Final Rejection	6
03-01-2001	List of references cited by examiner	1
02-21-2001	Examiner's search strategy and results	48
01-27-2000	Issue Information including classification, examiner, name, claim, renumbering, etc.	1
01-27-2000	Search information including classification, databases and other search related notes	1
01-27-2000	Index of Claims	1
01-27-2000	Transmittal letter	1
01-27-2000	Specification	40
01-27-2000	Claims	5
01-27-2000	Abstract	1
01-27-2000	Oath or Declaration filed	4
01-27-2000	Fee Worksheet (PTO-875)	1
01-27-2000	Fee Worksheet (PTO-875)	2
01-27-2000	Claims Worksheet (PTO-2022)	1
01-27-2000	Miscellaneous Incoming Letter	51

[Close Window](#)

Printer Friendly

09/492,763

Dermal agent

Image File Wrapper

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count
08-16-2005	Miscellaneous Incoming Letter	6
06-16-2005	Final Rejection	9
06-16-2005	Index of Claims	1
06-16-2005	Search information including classification, databases and other search related notes	1
03-23-2005	Miscellaneous Incoming Letter	3
12-03-2004	Fee Worksheet (PTO-875)	1
12-03-2004	Claims Worksheet (PTO-2022)	1
10-28-2004	Miscellaneous Incoming Letter	3
07-12-2004	Miscellaneous Incoming Letter	1
07-12-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
04-28-2004	Amendment - After Non-Final Rejection	1
04-28-2004	Applicant Arguments or Remarks Made in an Amendment	2
04-28-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
01-28-2004	Non-Final Rejection	5
01-28-2004	List of references cited by examiner	1
01-28-2004	Foreign Reference	11
01-28-2004	Foreign Reference	11
09-16-2003	Amendment - After Non-Final Rejection	1
09-16-2003	Applicant Arguments or Remarks Made in an Amendment	4
09-16-2003	Extension of Time	1
05-16-2003	Non-Final Rejection	6
10-09-2002	Miscellaneous Incoming Letter	2
10-09-2002	Amendment - After Non-Final Rejection	1
10-09-2002	Claims	1

10-09-2002	Applicant Arguments or Remarks Made in an Amendment	4
10-09-2002	Extension of Time	1
08-27-2002	Advisory Action (PTOL-303)	3
08-09-2002	Amendment - After Non-Final Rejection	1
08-09-2002	Claims	1
08-09-2002	Applicant Arguments or Remarks Made in an Amendment	8
08-09-2002	Extension of Time	1
04-09-2002	Final Rejection	8
01-16-2002	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	8
11-30-2001	Amendment - After Non-Final Rejection	1
11-30-2001	Claims	4
11-30-2001	Applicant Arguments or Remarks Made in an Amendment	11
11-30-2001	Extension of Time	1
11-30-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	7
11-20-2001	Non-Final Rejection	4
10-30-2001	Miscellaneous Incoming Letter	3
07-31-2001	Non-Final Rejection	7
07-31-2001	List of references cited by examiner	1
07-02-2001	Amendment - After Non-Final Rejection	1
07-02-2001	Applicant Arguments or Remarks Made in an Amendment	3
07-02-2001	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received as part of the affidavit	2
07-02-2001	Extension of Time	1
07-02-2001	Information Disclosure Statement (IDS) Filed	2
07-02-2001	List of References cited by applicant and considered by examiner	1
07-02-2001	Foreign Reference	1
07-02-2001	Foreign Reference	2
07-02-2001	Foreign Reference	1

03-01-2001	Non-Final Rejection	6
03-01-2001	List of references cited by examiner	1
02-21-2001	Examiner's search strategy and results	48
01-27-2000	Issue Information including classification, examiner, name, claim, renumbering, etc.	1
01-27-2000	Search information including classification, databases and other search related notes	1
01-27-2000	Index of Claims	1
01-27-2000	Transmittal letter	1
01-27-2000	Specification	40
01-27-2000	Claims	5
01-27-2000	Abstract	1
01-27-2000	Oath or Declaration filed	4
01-27-2000	Fee Worksheet (PTO-875)	1
01-27-2000	Fee Worksheet (PTO-875)	2
01-27-2000	Claims Worksheet (PTO-2022)	1
01-27-2000	Miscellaneous Incoming Letter	51

[Close Window](#)

Printer Friendly

09/492,763

Dermal agent

Image File Wrapper

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count
08-16-2005	Amendment After Final	6
06-16-2005	Final Rejection	9
06-16-2005	Index of Claims	1
06-16-2005	Search information including classification, databases and other search related notes	1
03-23-2005	Request for status of Application	3
12-03-2004	Fee Worksheet (PTO-875)	1
12-03-2004	Claims Worksheet (PTO-2022)	1
10-28-2004	Request for status of Application	3
07-12-2004	Miscellaneous Incoming Letter	1
07-12-2004	Rule 131 or 132 Affidavits	2
04-28-2004	Amendment - After Non-Final Rejection	1
04-28-2004	Applicant Arguments or Remarks Made in an Amendment	2
04-28-2004	Rule 131 or 132 Affidavits	2
01-28-2004	Non-Final Rejection	5
01-28-2004	List of references cited by examiner	1
01-28-2004	Foreign Reference	11
01-28-2004	Foreign Reference	11
09-16-2003	Amendment - After Non-Final Rejection	1
09-16-2003	Applicant Arguments or Remarks Made in an Amendment	4
09-16-2003	Extension of Time	1
05-16-2003	Non-Final Rejection	6
10-09-2002	Miscellaneous Incoming Letter	2
10-09-2002	Amendment - After Non-Final Rejection	1
10-09-2002	Claims	1
10-09-2002	Applicant Arguments or Remarks Made in an Amendment	4

10-09-2002	Extension of Time	1
08-27-2002	Advisory Action (PTOL-303)	3
08-09-2002	Amendment - After Non-Final Rejection	1
08-09-2002	Claims	1
08-09-2002	Applicant Arguments or Remarks Made in an Amendment	8
08-09-2002	Extension of Time	1
04-09-2002	Final Rejection	8
01-16-2002	Rule 131 or 132 Affidavits	8
11-30-2001	Amendment - After Non-Final Rejection	1
11-30-2001	Claims	4
11-30-2001	Applicant Arguments or Remarks Made in an Amendment	11
11-30-2001	Extension of Time	1
11-30-2001	Rule 131 or 132 Affidavits	7
11-20-2001	Non-Final Rejection	4
10-30-2001	Miscellaneous Incoming Letter	3
07-31-2001	Non-Final Rejection	7
07-31-2001	List of references cited by examiner	1
07-02-2001	Amendment - After Non-Final Rejection	1
07-02-2001	Applicant Arguments or Remarks Made in an Amendment	3
07-02-2001	Rule 131 or 132 Affidavits	2
07-02-2001	Extension of Time	1
07-02-2001	Information Disclosure Statement (IDS) Filed	2
07-02-2001	List of References cited by applicant and considered by examiner	1
07-02-2001	Foreign Reference	1
07-02-2001	Foreign Reference	2
07-02-2001	Foreign Reference	1
03-01-2001	Non-Final Rejection	6
03-01-2001	List of references cited by examiner	1
02-21-2001	Examiner's search strategy and results	48

01-27-2000	Issue Information including classification, examiner, name, claim, renumbering, etc.	1
01-27-2000	Search information including classification, databases and other search related notes	1
01-27-2000	Index of Claims	1
01-27-2000	Transmittal letter	1
01-27-2000	Specification	40
01-27-2000	Claims	5
01-27-2000	Abstract	1
01-27-2000	Oath or Declaration filed	4
01-27-2000	Fee Worksheet (PTO-875)	1
01-27-2000	Fee Worksheet (PTO-875)	2
01-27-2000	Claims Worksheet (PTO-2022)	1
01-27-2000	Miscellaneous Incoming Letter	51

[Close Window](#)

Printer Friendly

09/492,763

Dermal agent

Image File Wrapper

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count
08-16-2005	Amendment After Final	6
06-16-2005	Final Rejection	9
06-16-2005	Index of Claims	1
06-16-2005	Search information including classification, databases and other search related notes	1
03-23-2005	Request for status of Application	3
12-03-2004	Fee Worksheet (PTO-875)	1
12-03-2004	Claims Worksheet (PTO-2022)	1
10-28-2004	Request for status of Application	3
07-12-2004	Miscellaneous Incoming Letter	1
07-12-2004	Rule 131 or 132 Affidavits	2
04-28-2004	Amendment - After Non-Final Rejection	1
04-28-2004	Applicant Arguments or Remarks Made in an Amendment	2
04-28-2004	Rule 131 or 132 Affidavits	2
01-28-2004	Non-Final Rejection	5
01-28-2004	List of references cited by examiner	1
01-28-2004	Foreign Reference	11
01-28-2004	Foreign Reference	11
09-16-2003	Amendment - After Non-Final Rejection	1
09-16-2003	Applicant Arguments or Remarks Made in an Amendment	4
09-16-2003	Extension of Time	1
05-16-2003	Non-Final Rejection	6
10-09-2002	Miscellaneous Incoming Letter	2
10-09-2002	Amendment - After Non-Final Rejection	1
10-09-2002	Claims	1
10-09-2002	Applicant Arguments or Remarks Made in an Amendment	4

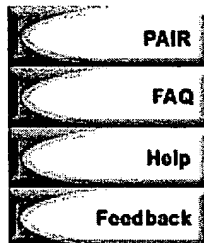
10-09-2002	Extension of Time	1
08-27-2002	Advisory Action (PTOL-303)	3
08-09-2002	Amendment - After Non-Final Rejection	1
08-09-2002	Claims	1
08-09-2002	Applicant Arguments or Remarks Made in an Amendment	8
08-09-2002	Extension of Time	1
04-09-2002	Final Rejection	8
01-16-2002	Rule 131 or 132 Affidavits	8
11-30-2001	Amendment - After Non-Final Rejection	1
11-30-2001	Claims	4
11-30-2001	Applicant Arguments or Remarks Made in an Amendment	11
11-30-2001	Extension of Time	1
11-30-2001	Rule 131 or 132 Affidavits	7
11-20-2001	Non-Final Rejection	4
10-30-2001	Miscellaneous Incoming Letter	3
07-31-2001	Non-Final Rejection	7
07-31-2001	List of references cited by examiner	1
07-02-2001	Amendment - After Non-Final Rejection	1
07-02-2001	Applicant Arguments or Remarks Made in an Amendment	3
07-02-2001	Rule 131 or 132 Affidavits	2
07-02-2001	Extension of Time	1
07-02-2001	Information Disclosure Statement (IDS) Filed	2
07-02-2001	List of References cited by applicant and considered by examiner	1
07-02-2001	Foreign Reference	1
07-02-2001	Foreign Reference	2
07-02-2001	Foreign Reference	1
03-01-2001	Non-Final Rejection	6
03-01-2001	List of references cited by examiner	1
02-21-2001	Examiner's search strategy and results	48

01-27-2000	Issue Information including classification, examiner, name, claim, renumbering, etc.	1
01-27-2000	Search information including classification, databases and other search related notes	1
01-27-2000	Index of Claims	1
01-27-2000	Transmittal letter	1
01-27-2000	Specification	40
01-27-2000	Claims	5
01-27-2000	Abstract	1
01-27-2000	Oath or Declaration filed	4
01-27-2000	Fee Worksheet (PTO-875)	1
01-27-2000	Fee Worksheet (PTO-875)	2
01-27-2000	Claims Worksheet (PTO-2022)	1
01-27-2000	Miscellaneous Incoming Letter	51

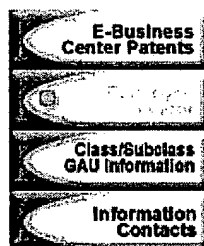
Close Window



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Other Links



PTO Employee Information Screen

Query by name search

(DIR) - Director
(DIRSEC) - Director's Secretaries
(HSLIE) - Head SAEs [HSAE]
(RCPTN) - Receptionist
(SPE) - Supervisory Patent Examiner

1 Records Were Found.

Employee	Phone	Ext	Office	Office Description
KIM VICKIE Y	(571)272-0579		P/1618	GROUP ART UNIT 1618

Q54487 / Q91488 - dis/incl
(09/492,763)

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

12/14/05 - check status on PAIR;
call EX & leave voice mail